

REMARKS

As a preliminary matter, Applicant notes that the claims did not include a claim 10 and improperly numbered originally submitted claims 11-29. In the interest of correcting this error, Applicant has renumbered these claims. Applicant retains the original claim numbers for claims 1-9. Applicant, however, has renumbered originally submitted claims 11-29. Specifically, originally submitted claims 11-29 have been renumbered as claims 10-28, and the dependencies of the respective claims have been corrected in accordance with the new numbering scheme. Applicant will refer to claims as renumbered in the following discussion, and the new numbering scheme is consistent with the Examiner's references to the claims in the Office Action.

In the Office Action, the Examiner rejected claims 1-28. By the present Response, Applicant has amended claims 10-28. Upon entry of the amendments, claims 1-28 will remain pending in the present patent application. In light of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Rejections Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 10-28 under 35 U.S.C. § 112, second paragraph due to their erroneous numbering. As discussed above, Applicant has amended these claims to obviate these errors, and, as such, believes that the Examiner's objections are now moot. Accordingly, Applicant respectfully requests withdrawal of the instant rejection.

Rejections Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 9-12, 16-20, 22-24, and 26-28 under 35 U.S.C. § 102(a) as anticipated by the Tkacs et al. reference (U.S. Patent No. 5,526,268; herein after Tkacs). Applicant respectfully traverses the rejection. In

summary, Applicant respectfully asserts that the cited reference fails to disclose *all* of the features recited by the instant claims.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicant needs only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

Furthermore, Applicant respectfully reminds the Examiner that, during patent examination, the pending claims must be given an interpretation that is *reasonable* and *consistent* with the specification. *see In re Prater*, 415 F.2d 1393, 1404-05, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *see also In re Morris*, 127 F.3d 1048, 1054-55, 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997); *See also* M.P.E.P. §§ 608.01(o) and 2111. “Claims are not to be read in a vacuum, and limitations therein are to be interpreted *in light of the specification* in giving them their broadest reasonable interpretation.” *In re Okwzara*, 537 F. 2d 545, 548, 180 U.S.P.Q. 464, 446 (C.C.P.A. 1976) (emphasis added). Moreover, interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *See In re Cortright*, 165 F.3d 1353, 1359, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); *see also* M.P.E.P. § 2111. With the foregoing in mind, Applicant respectfully asserts that Tkacs fails to anticipate the instant claims.

Independent Claim 9 and the Claims Depending Therefrom

Independent claim 9 recites,

An industrial control and monitoring system comprising:
a plurality of control and monitoring components configured to
control or monitor application of electrical power to a load;

a data network coupled to the components for accessing
parameter data from the components;

a database including component data descriptive of the
components and a plurality of language fields including textual
labels for component data presentations translated into a plurality of
languages;

a monitoring station coupled to the data network and
configured to access the parameter data and the database; and

a plurality of monitoring representations viewable on the
monitoring station and including component designations and
component status parameters based upon the parameter data, the
representations including textual labels from the database in a
desired language from the plurality of languages for display in the
monitoring screens.

(Emphasis added.) Respectfully, Applicant asserts that the cited reference fails to
disclose all of these features.

The data treated by Tkacs does not include component descriptive data. The Tkacs
reference discloses “an apparatus 20 according to the invention for monitoring a process.”
Tkacs, col. 6, ll. 14-5 (emphasis added). This monitoring apparatus includes a processor
24 that cooperates with a display device 30 and sensors 40 to obtain and display
operational data regarding the monitored process. *Id.* at col. 6, ll. 18-29. The processor
24 is also coupled to a memory 44 which stores “collected *process data* information.” *Id.*
at col. 6, ll. 40-4 (emphasis added). For example, the memory includes a “database
record containing a value (such as a *temperature reading*) ... and *related data*.” *Id.* at
col. 6, ll. 60-3 (emphasis added). In other words, the database of Tkacs receives and
stores *operational data* regarding the process as a whole. However, the data does not
include component data, let alone component data that is *descriptive* of the components.

As quoted above, claim 9 recites a database containing database records whose values include *component data descriptive of the components*. By way of example, this component data may include “specific data representative of the system, the component, the *component function*, the *component location*, and so forth.” Application, p. 9, ll. 17-8 (emphasis added). Tkacs, however, only discloses measuring, monitoring, and displaying process parameters and operational data. Accordingly, Tkacs does not disclose storing data descriptive of the components used in a process. Rather, the operational data disclosed by Tkacs relates to the process and not to the components. Indeed, in light of the application, one of ordinary skill in the art could not reasonably interpret “component data descriptive of the component” to be anticipated by a database containing nothing more than operational data related to a process.

Therefore, Applicant respectfully asserts that Tkacs fails to disclose all of the features recited in claim 9. Thus, Applicant respectfully asserts that Tkacs fails to anticipate independent claim 9 and its respective dependent claims 10-12 and 16-19. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Amended Independent Claim 20 and the Claims Depending Therefrom

Amended independent claim 20 recites,

A method for monitoring status of a system including a plurality of networked electrical components, the method comprising the steps of:

accessing component status data from a plurality of electrical components of a control and monitoring system via a data network;

accessing textual labels corresponding to the component status data from a system database, the database including translations of the textual labels in a plurality of languages and component descriptions for the components; and

displaying a plurality of monitoring representations for the components including presentations of component status data and

textual labels in a desired language of the plurality of languages accessed from the database.

(Emphasis added.) Applicant respectfully asserts that Tkacs does not disclose all of these features.

As discussed above, Tkacs does not disclose a database including descriptions for the components. Rather, Tkacs merely discloses a database containing *operational data* relating to a process and process parameters. Accordingly, Tkacs does not disclose all of the features recited in claim 20. Thus, Applicant respectfully asserts that Tkacs does not anticipate amended independent claim 20 and its respective dependent claims 22-24 and 26-28. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-8, 13-15, 21, and 25 under 35 U.S.C. § 103(a) as obvious in view of various references. Applicant, as discussed further below, respectfully asserts that the instant claims are not obvious in view of the cited references, taken alone or in combination.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the

claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

First Rejection Under Section 103

In the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. § 103(a) as obvious in view of Tkacs and the Bapat reference (U.S. Patent No. 4,916,610).

Applicant respectfully traverses the rejection.

Independent claim 1 recites, *inter alia*, “a database including *component data descriptive of the components*.” (Emphasis added.) Applicant respectfully asserts that the cited references, taken alone or in combination, fail to disclose at least this feature.

The Examiner asserts that the recitation of “a database including *component data descriptive of the components*” is disclosed in Tkacs. However, as discussed above, Tkacs fails to disclose a database containing data descriptive of the components. Rather, Tkacs merely discloses a database having *operational data* related to a process. Indeed, such operational data provides information regarding the process and does not describe the components. Moreover, neither the Examiner nor the Bapat reference itself suggests that the Bapat reference is capable of obviating the deficiencies of Tkacs discussed above.

Accordingly, Applicant respectfully asserts that the cited references, taken alone or in combination, fail to disclose all of the features recited in the instant claims and, as such, asserts that the independent claim 1 and its respective dependent claims 2-7 are not obvious in view of the cited references. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Second Rejection Under Section 103

In the Office Action, the Examiner rejected dependent claims 8 and 21 under 35 U.S.C. § 103(a) as obvious in view of the Tkacs reference, the Bapat reference, and the

Bargh et al. reference (U.S. Patent No. 6,212,491). Applicant, however, respectfully asserts that the instant claims are patentable over the cited references taken alone or in combination.

Applicant notes that dependent claims 8 and 21 depend from independent claims 1 and 20, respectively. With this in mind, Applicant respectfully reiterates that Tkacs fails to disclose all of the features recited in the instant claims. Furthermore, the Bapat reference and the Bargh et al. reference do not obviate the deficiencies of Tkacs discussed above. Moreover, Applicant respectfully asserts that dependent claims 8 and 21 are not only patentable for their respective dependencies on allowable base claims, but also by virtue of the additional features recited therein. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Third Rejection Under Section 103

In the Office Action, the Examiner rejected dependent claims 13-15 and 25 under 35 U.S.C. § 103(a) as obvious in view of Tkacs, the Bapat reference, and the Swales et al. reference (U.S. Patent No. 6,151,625). Applicant, however, respectfully asserts that the instant claims are patentable over the cited references taken alone or in combination.

Applicant notes that dependent claims 13-15 and 25 depend from independent claims 9 and 20, respectively. With this in mind, Applicant respectfully reiterates that Tkacs fails to disclose all of the features recited in the instant claims. Furthermore, the Bapat and Swales et al. references fail to obviate the deficiencies of Tkacs discussed above. Moreover, Applicant respectfully asserts that dependent claims 13-15 and 25 are not only patentable for their respective dependences on allowable base claims, but also by virtue of the additional features recited therein. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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